

<b>Notice of Allowability</b>	Application No.	Applicant(s)	
	10/776,389	VENOLIA, DANIEL SCOTT	
	Examiner	Art Unit	
	Jeffery A. Brier	2628	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on 10/17/2006.
2. ☒ The allowed claim(s) is/are 26-41, 44-48, 50-53, 55, 56, 58-61 and 63-84.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| <ol style="list-style-type: none"> <li>1. <input type="checkbox"/> Notice of References Cited (PTO-892)</li> <li>2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br/>Paper No./Mail Date _____</li> <li>4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br/>of Biological Material</li> </ol> | <ol style="list-style-type: none"> <li>5. <input type="checkbox"/> Notice of Informal Patent Application</li> <li>6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br/>Paper No./Mail Date <u>20071214</u>.</li> <li>7. <input type="checkbox"/> Examiner's Amendment/Comment</li> <li>8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance</li> <li>9. <input type="checkbox"/> Other _____.</li> </ol> |
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***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/17/2007 has been entered.

**EXAMINER'S AMENDMENT**

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Andrew Cameron on 12/13/2007.

The application has been amended as follows:

Claim 51 has been replaced with the following claim 51:

51. (Currently Amended) The method of claim 50, wherein the cursor positioning device is ~~at least~~ one of a mouse, a track ball, a touch tablet, and a joystick.

Claim 61 has been replaced with the following claim 61:

61. (Currently Amended) The method of claim 60, wherein the input device is ~~at least~~ one of a mouse, a track ball, a touch tablet, and a joystick.

### **REASONS FOR ALLOWANCE**

3. The following is an examiner's statement of reasons for allowance: the prior art of record fails to teach or suggest the remapping feature of the claims where the closest prior art Gest keeps the cursor within a menu item to control parameters associated with the menu item such as color and hue or font style and character pitch or month and day, see figures 4-7C, while applicants remapping allows the cursor control device to control the parameter associated with a menu item with movements of the cursor control device that extend beyond the boundaries of the menu item.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. The claims have renumbered as:

Original claim no.	New claim no.	Original claim no.	New claim no.	Original claim no.	New claim no.
1	cancelled	38	13	75	45
2	cancelled	39	14	76	47
3	cancelled	40	15	77	48
4	cancelled	41	16	78	49
5	cancelled	42	cancelled	79	50
6	cancelled	43	cancelled	80	51
7	cancelled	44	17	81	52
8	cancelled	45	18	82	39
9	cancelled	46	19	83	46
10	cancelled	47	20	84	53
11	cancelled	48	21		
12	cancelled	49	Cancelled		
13	cancelled	50	22		
14	cancelled	51	23		
15	cancelled	52	24		
16	cancelled	53	25		
17	cancelled	54	cancelled		
18	cancelled	55	26		
19	cancelled	56	27		
20	cancelled	57	cancelled		
21	cancelled	58	28		
22	cancelled	59	29		
23	cancelled	60	30		
24	cancelled	61	31		
25	cancelled	62	cancelled		
26	1	63	32		
27	2	64	33		
28	3	65	34		
29	4	66	35		
30	5	67	36		
31	6	68	37		
32	7	69	38		
33	8	70	40		
34	9	71	41		
35	10	72	42		
36	11	73	43		
37	12	74	44		

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffery A Brier whose telephone number is (571) 272-7656. The examiner can normally be reached on M-F from 7:30 to 4:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi, can be reached at (571) 272-7664. The fax phone Number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Jeffery A. Brier/  
Primary Examiner, Division 2628